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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/069,642

02/28/2002

Katsuhiko Hiramatsu

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EXAMINER

AGHDAM, FRESHTEH N

ART UNIT

PAPER NUMBER

2611

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed April 29, 2008 have been fully considered but they are not persuasive.

Applicant's Argument(s):

Regarding claims 22-23 and 27, page 2, the applicant argues that the final rejection acknowledges the claimed invention is not taught or suggested by the combination of Parkvall and Nakamura "a communication apparatus receives transmit power information for both a control channel and a data channel... Thus, the Final Rejection not only acknowledges that Parkvall and Nakamura do not suggest the claimed subject matter, the Final Rejection proposes that the applied references teach away from it".

Examiner's Answer:

Regarding the argument set forth above, the examiner disagrees with the applicant because the transmit power of the data channel signal is indirectly measured by measuring transmit power value of the pilot/ control signal since the forward and reverse links are equally affected by changes in the propagation environment. In other words, when for quality measurement purposes, the transmit power of the control signal is measured the transmit power of the data signal is obtained. Moreover, the examiner disagrees with the applicant's analysis of Parkvall and Nakamura do not suggest the claimed subject matter because, as a matter of fact, the final office action's rationale is founded based on the fact that when the transmit power of the control signal is

measured (Parkvall, Fig. 11, step 150) the transmit power of the data signal is obtained. Therefore, Parkvall teaches this limitation. In response to the argument of the applied references teach away from the claimed subject matter, the examiner disagrees with the applicant because the office action's rationale meets the claimed subject matter.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRESHTEH N. AGHDAM whose telephone number is (571)272-6037. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Freshteh N Aghdam/

Examiner, Art Unit 2611